

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

JESSE WILSON,

Defendant.

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CRIMINAL NO. 05-10218-RCL

GOVERNMENT'S MOTION FOR UPWARD DEPARTURE AND DEVIATION

The government hereby moves for an upward departure and deviation from the applicable advisory sentencing guidelines range, to a sentence of 10 years imprisonment. The grounds for this motion are the inadequacy of Wilson's criminal history category (U.S.S.G. §4A1.3), as well as the factors set forth in 18 U.S.C. §3553(a), in particular the seriousness of the offense; the need to afford adequate deterrence to criminal conduct; and the need to protect the public from further crimes of the defendant. In support of this motion, the Government's Sentencing Memorandum has been filed today.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: s/Mark J. Balthazard
MARK J. BALTHAZARD
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Date: August 29, 2007

Certificate of Service

I hereby certify that on August 29, 2007, this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Mark J. Balthazard
MARK J. BALTHAZARD
Assistant U.S. Attorney